

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
Allentown Division

EDWARD THOMAS KENNEDY,
Plaintiff,

Case No. 5: 18-cv-977 (CDJ)

-v-

JOSEPH N. HANNA, et. al.,
Defendants.

MEMORANDUM IN SUPPORT OF
MOTION FOR PARTIAL SUMMARY JUDGMENT

Plaintiff wishes the court of record to render a partial summary judgment against defendants Hanna and his employer County of Lehigh as authorized by Federal Rule of Civil Procedure 56 and the Law of this Case as detailed in Exhibit 1 previously filed, and now Exhibit 2, 2 pages.

A. Introduction

1. Plaintiff is Edward Thomas Kennedy, one of the people of Pennsylvania, in this court of record, wishes a Partial Summary Judgment against Defendant County of Lehigh and Hanna in his official capacity.

2. Said Defendants are represented by Modern Attorney Backenstoe, an employee or agent for the County of Lehigh.

B. Statement of Facts

3. Plaintiff is Edward Thomas Kennedy, one of the people of Pennsylvania, in this court of record, wishes a Partial Summary Judgment against said Defendants.

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4. Exhibit 2 is prima facie evidence that Defendant Hanna lacks a Bond of Office and a lawful Commission, and is therefore void in office, and other probable offenses against the Plaintiff.

5. By the law of the case, Plaintiff wishes damages as expressed in US dollars for \$25,000,000.00 at 50 percent or \$12,500,000.00 for a partial summary judgement.

C. Argument

6. Partial Summary Judgment is proper in a case where there is no genuine issue of material fact.¹

7. No Bond of office and No Commission means Defendant Hanna is void in office.

8. Hanna had no Commission and no Bond of Office when he both injured and damaged Plaintiff Kennedy.

9. By law, Kennedy is entitled to damages.

10. A plaintiff moving for partial summary judgment satisfies its burden by submitting partial summary judgment proof that establishes elements of his claim as a matter of law.²

11. Plaintiff shows that no reasonable trier of fact in a court of record could find other than for plaintiff Kennedy.³

13. Because there are no genuine issues of material fact on any element of

¹ Fed. R. Civ. P. 56(c); Scott v. Harris, U.S. 127 S. Ct. 1769,1776 (2007); Celotex Corp. v. Catrett, 411 U.S. 317, 322,106 S. Ct. 2548, 2552 (1986).

² San Pedro v. United States, 79 F.3d 1065,1068 (11th Cir. 1996).

³ Calderone v. United States, 799 F.2d 254,259 (6th Cir. 1986).

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plaintiff's notice and demand, and now with evidence presented in Exhibit 2 certified from County of Lehigh's own official records, plaintiff is entitled to partial summary judgment as a matter of US law which is common law. Plaintiff may wish punitive damages at a later date.

D. Law of the Case

14. Exhibit 1 Law of the Case previously filed in this case is incorporated herein and the Federal Rules of Civil Procedure are the rules of the court of record in the above entitled court. The rules shall be construed and administered to secure the just, speedy, and inexpensive determination of this action, and Plaintiff wishes this to be so as stated herein.

E. Partial Summary Judgment Evidence

15. In support of his motion, plaintiff notices the court of *prima facie* evidence in Exhibit 2, 2 pages, which are incorporated by reference into the motion.

Date: July 23, 2018

Respectfully submitted,

/s/ Edward Thomas Kennedy seal

Edward Thomas Kennedy
401 Tillage Road
Breinigsville, Pennsylvania 18031
Email: kennedy2018@alumni.nd.edu
Phone: 4152751244 (message)

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